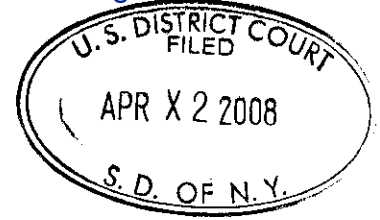


**SCANNED**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK\_\_\_\_\_  
GABRIELE WHEELER,

Plaintiff,

-against-

SUPERINTENDENT ERCOLE; JOHN DOE I;  
JOHN DOE II; JOHN DOE III; DOCTOR JOHN  
DOE IV,\_\_\_\_\_  
Defendants.

X

**CIVIL****JUDGMENT****07 Civ. 7149 (KMW)**

By Order dated August 10, 2007, plaintiff was directed to submit an Amended Complaint within sixty (60) days of the date of the Order. Thereafter, plaintiff submitted a letter-request for an extension of time in which to file an Amended Complaint in compliance with the August 10<sup>th</sup> Order. On December 21, 2007 plaintiff was granted sixty (60) days in which to file an Amended Complaint. Since plaintiff has failed to file an Amended Complaint as specified it is,

ORDERED, ADJUDGED AND DECREED: That the complaint is dismissed. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's order would not be taken in good faith.

SO ORDERED

A handwritten signature in black ink that reads "Kimba M. Wood".

\_\_\_\_\_  
KIMBA M. WOOD  
Chief JudgeDated: **APR 2 2008**  
New York, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON \_\_\_\_\_.